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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

Patent#: 7,541,161

Filing Date

Issued: June 2, 2009

First Named Inventor

Andrew H. Fischer

Art Unit

1797

Examiner Name

W. H. Beisner

Attorney Docket Number

U0120.70019US00

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
Identify below):

Form PTO-1449

Copies of cited references

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

WOLF, GREENFIELD & SACKS, P.C.

Signature

Printed name

Walt Norfleet

Date

6/8/09

Reg. No.

52,078

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: 6/8/09

Signature: Amelia S. Lennon (Amelia S. Lennon)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew H. Fischer
Serial No.: 10/775,767
Confirmation No.: 8715
Filed: February 10, 2004
For: METHOD AND APPARATUS FOR PREPARING CELLS
FOR MICROTOME SECTIONING AND ARCHIVING
NUCLEIC ACIDS AND PROTEINS
Examiner: William H. Beisner
Art Unit: 1797

Certificate of Electronic Filing Under 37 CFR 1.8
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Date: June 8, 2009

Signature: Amelia S. Lennon (Amelia S. Lennon)

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Madam:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant submits this Information Disclosure Statement. This Information Disclosure Statement has been filed under 37 C.F.R. § 1.97(i) to be placed in the file of the above referenced patent application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant also respectfully points out that each of the references listed on the accompanying PTO-1449 (modified PTO/SB/08), including DE 29 28 790, JP 2000-146782, are of record in the above-identified application at least by virtue of being of record in parent U.S. patent no. 6,913,921, and by virtue of being cited and applied by the Examiner in the office

action that was mailed on May 16, 2007, even though these references were not listed on the form PTO-892 that accompanied the office action of May 16, 2007. Additionally, a translation of JP 2000-146782 was previously submitted in an information disclosure statement and considered by the Examiner on February 13, 2008.

PART III: Remarks

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

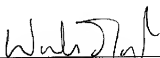
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:


Walt Norfleet, Reg. No. 52,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: U0120.70019US00
Date: June 8, 2009
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